

July 12, 2023

Nazih Elkallassi, Chairman  
Town of Wareham  
Zoning Board of Appeals  
54 Marion Road  
Wareham, MA 02571

**Re:** Second Peer Review  
Variance/Special Permit  
Popeye's Louisiana Kitchen Restaurant  
ZBA Case 18-23  
2404 Cranberry Highway  
Wareham, MA

---

Dear Mr. Elkallassi and Members of the Zoning Board of Appeals:

In accordance with our contract to conduct a peer review of the proposed Popeye's Louisiana Kitchen at 2404 Cranberry Highway in Wareham, Massachusetts, Allen & Major Associates, Inc. (A&M) is pleased to provide the following comments to the Board. The comments presented below are based on the review of the design documents provided to A&M by Wareham Planning and Community Development. A&M did not conduct a field assessment of the project but can do so if the ZBA requires.

In conducting the peer review, A&M reviewed the following documents:

- Stormwater Management Report for Cranberry Highway in Wareham, Massachusetts prepared for The Parikh Network prepared by DiPrete Engineering dated September 24, 2021, revised June 15, 2023;
- Site Plans for Cranberry Highway located on Cranberry Highway Wareham, Massachusetts Plan Book 63 Page 1009 Lot 2 prepared for The Parikh Network prepared by DiPrete Engineering dated September 24, 2021, revised June 28, 2023;
- Stormwater System Operation & Maintenance Plan for Cranberry Highway in Wareham, Massachusetts prepared for The Parikh Network prepared by DiPrete Engineering dated September 24, 2021, revised March 8, 2023;
- Stormwater Pollution Prevention Plan (SWPPP) for Cranberry Highway/Popeyes 2404 Cranberry Highway Wareham, MA 02571 prepared for The Parikh Network prepared by DiPrete Engineering dated March 8, 2023;
- Variance/Special Permit Cover letter, Application, copy of deed, Building Department denial letter and certified abutters list;
- Letter from the Wareham Fire Department dated May 1, 2023;
- Engineering response letter prepared by DiPrete Engineering dated June 30, 2023.
- E-mail from DiPrete engineering dated July 12, 2023 including a revised Grading and Drainage Plan (Sheet 7 of 14) as revision 5, post-development HydroCAD worksheets, and a post-development for comparison table of Watershed 2 at DP-2.

A&M reviewed the information/materials, listed above in conjunction with the applicable requirements of:

- Town of Wareham By-Laws revised October 25, 2021;
  - Division IV, Article III Earth Removal Regulations;

- Division V, Article XI Stormwater Management and Illicit Discharge;
- Division VI, Article I Wareham Wetland Protective By-Law.
- Town of Wareham Zoning By-Laws Revised April 12, 2022;
  - Article 4: Overlay Districts;
  - Article 6: Density and Dimensional Regulations;
  - Article 7: Design Standards and Guidelines;
  - Article 9: Parking;
  - Article 10: Landscaping;
  - Article 12: Performance Standards;
  - Article 15: Site Plan Review.
- Massachusetts Stormwater Handbook, Volumes 1 through 3, as applicable under the Massachusetts Wetlands Protection Act (310 CMR 10.00) with focus on the Stormwater Management Standards.
- National Fire Protection Association (NFPA 1) and the Massachusetts Amendments (527 CMR 18) as applicable to site development plans.

The following represents A&M's review comments. A&M may submit additional comments based on supplemental information provided after the initial peer review.

#### **Wareham By-Laws and Zoning By-Laws**

1. Response acknowledged, no further comment.
2. Issue resolved, no further comment.
3. Issue resolved, no further comment.
4. The applicant's engineer has provided an impact statement outlining the anticipated loads on town services and traffic. The Wareham Sewer Department has provided a letter acknowledging approval for the project. The photometric lighting plan remains outstanding and would need to be in conformance with the Town of Wareham's standards. The Zoning Board may wish to review the lighting plan prior to issuance of a permit or consider it a condition of approval. No mention of water availability was discussed, but it is anticipated these can be accommodated in due course given the project location. The engineering related issues have been resolved.

#### **Drainage Calculations and Site Plans**

5. The design engineer should review the Pre-development vs Post-development summary table for Watershed 2 (DP-2). Some of the net changes appear to show reductions but are actually increases and vice versa to the design point. A&M suggests that the design engineer calculate the actual time of concentration for the proposed watershed associated with sub-catchment area 212, which may help offset the slight increases reported in the calculations.

Updated Comment: A&M and DiPrete Engineering reviewed the watershed calculations via telephone on July 7, 2023 and received a revised HydroCAD report and Grading and Drainage Plan via e-mail. The design engineer has revised the northerly grading to include a grass landscaped depression that will mitigate the small increase in peak flows originally identified. A&M reviewed the revised

information with DiPrete on July 12 to identify a small typo on the elevation of the broad crested weir within the grassed depression. This should be corrected and submitted as part of the final record but has no effect on the drainage calculations and/or compliance. A&M has no issue with the revised drawings and this issue has been resolved.

6. Issue resolved, no further comment.
7. Issue resolved, no further comment.
8. Issue resolved, no further comment.
9. Issue resolved, no further comment.
10. Issue resolved, no further comment.
11. Issue resolved, no further comment.
12. Issue resolved, no further comment.
13. Issue resolved, no further comment.
14. Issue resolved, no further comment.
15. Issue resolved, no further comment.
16. Issue resolved, no further comment.
17. Issue resolved, no further comment.
18. Issue resolved, no further comment.
19. The Wareham Fire Department issued an e-mail dated June 29, 2023 that they have no further comments on the swept path analysis. Issue resolved, no further comment.
20. The applicant has provided a letter on available capacity from the Wareham Sewer Department. No letter was provided by the Wareham Fire District Water Department but service is anticipated in due course. Issue resolved, no further comment.

As of the latest revised drawings and supplemental information, the applicant's engineer has addressed the engineering comments and no further changes are recommended for compliance to the Town of Wareham Bylaws or the Massachusetts Stormwater Standards.

Very Truly Yours,

**ALLEN & MAJOR ASSOCIATES, INC.**

Philip Cordeiro, PE  
Branch Manager

cc: File